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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

US. PTO

17302 10/792305

030204

Docket No.: A04P1019
 Inventor(s): Steve Koh
 Title: SYSTEM AND METHOD FOR DIAGNOSING AND TRACKING CONGESTIVE
 HEART FAILURE BASED ON THE PERIODICITY OF CHEYNE-STOKES
 RESPIRATION USING AN IMPLANTABLE MEDICAL DEVICE

EXPRESS MAIL NO. EV100889045US

Mail Stop Patent Application
 COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith for filing are the following documents:

2 page(s) DATA SHEET
 44 page(s) application including 39 pages specification, 4 pages claims, and
1 page abstract
 14 Sheet(s) of Drawings
 Formal xx Informal _____
 Declaration
 Assignment
 Recordation Form Cover Sheet
 Power of Attorney by Assignee...
 Nonpublication Request Under 35 USC 122...
 Information Disclosure Statement
 PTO-1449 and references
 Return Postcard

The PTO did not receive the following
 listed item(s). *a copy of the letter*

CALCULATION OF FEES						
ITEM		NO. OF CLAIMS FILED	NO. OF ADDITIONAL CLAIMS FILED	LG ENTITY FEE	\$ AMOUNT	\$ FEE
A	TOTAL CLAIMS FEE	20 - 20 =	0	X \$18	\$0	\$ 0
B	INDEPENDENT CLAIMS FEE**	3 - 3 =	0	X 86	0	0
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (LINES A + B)					\$ 0
D	MULTIPLE-DEPENDENT CLAIMS FEE LARGE ENTITY FEE = \$270					
E	BASIC FILING FEE*LARGE ENTITY = \$770					
F	TOTAL FILING FEE** (ADD TOTALS FOR LINES C, D, AND E)					
						\$ 770*
<input checked="" type="checkbox"/>	Charge Deposit Account No. 16-0068 the amount of		\$ 770*	A copy of this letter is enclosed.		

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The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0068

Any additional filing fees required under 37 CFR 1.16.

Any patent application processing fees under 37 CFR 1.17.

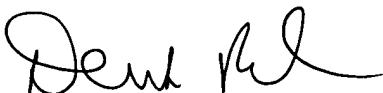
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Any patent application processing fees under 37 CFR 1.17.

Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

Date: 3/2/04



Derrick Reed, Attorney for Applicants
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I hereby certify that this New Application is being deposited with the United States Postal Service as "Express Mail" mailing label number **EV100889045US** in an envelope as "Express Mail Post Office to Addressee" addressed to the:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on:

March 2, 2004



Cristene Amador 3/2/04
Cristene Amador Date

**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor		Steve Koh
Title SYSTEM AND METHOD FOR DIAGNOSING AND TRACKING CONGESTIVE HEART FAILUREBASED ON THE PERIODICITY OF CHEYNE-STOKES RESPIRATION USING AN IMPLANTABLE MEDICAL DEVICE		
Attorney Docket Number	A04P1019	

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

3/2/04

Date



Signature

(818) 493-2200

Telephone number

Derrick Reed, Reg. No. 40,138

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.